

Reprint  
as at 19 April 2016



## Canterbury Earthquake (Social Security Act) Order (No 3) 2010

(SR 2010/484)

Canterbury Earthquake (Social Security Act) Order (No 3) 2010: revoked (after expiring on the close of 31 March 2012), on 19 April 2016, by section 146(2) of the Greater Christchurch Regeneration Act 2016 (2016 No 14).

Anand Satyanand, Governor-General

### Order in Council

At Wellington this 20th day of December 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 6 of the Canterbury Earthquake Response and Recovery Act 2010, His Excellency the Governor-General makes the following order acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the relevant Minister made in accordance with section 6(2) of that Act.

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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint. Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This order is administered by the Ministry of Social Development.**

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## Order

### 1 Title

This order is the Canterbury Earthquake (Social Security Act) Order (No 3) 2010.

### 2 Commencement

This order comes into force on the day after the date of its notification in the *Gazette*.

### 3 Expiry

This order expires at the close of 31 March 2012.

### 4 Interpretation

- (1) In this order, **Canterbury earthquake** means the earthquake that occurred on 4 September 2010 in Canterbury, and includes all of its aftershocks.
- (2) The modification of the Social Security Act 1964 effected by clause 5 does not affect the text of that Act, but requires it to be read as if it had been amended in the manner indicated in that clause.

### 5 Certain payments not to be treated as cash assets

The definition of **cash assets** in section 61E(1) of the Social Security Act 1964 must be read as if the following paragraph were inserted after paragraph (ab):

- (ac) in relation to any person, does not include any money paid to the person by the Earthquake Commission continued in existence by section 4(1) of the Earthquake Commission Act 1993, or by an insurance company,—
- (i) in respect of the destruction of or any damage to any property caused by the Canterbury earthquake; or
  - (ii) for or towards the costs of renting accommodation in place of residential premises destroyed or made uninhabitable by the Canterbury earthquake; and

Rebecca Kitteridge,  
Clerk of the Executive Council.

## Explanatory note

*This note is not part of the order, but is intended to indicate its general effect.*

This Order in Council, which comes into force the day after notification in the *Gazette*, modifies the effect of the definition in section 61E(1) of the Social Security Act 1964 of **cash assets** so that it does not include money paid out by the Earthquake Commission or an insurance company—

- in respect of the destruction of or any damage to any property caused by the Canterbury earthquake; or
- for or towards the costs of renting accommodation in place of residential premises destroyed or made uninhabitable by the Canterbury earthquake.

The amount of the accommodation supplement that can be granted to a person under section 61EA of that Act depends on the value of the person's cash assets.

This Order in Council is made under the Canterbury Earthquake Response and Recovery Act 2010, and its effect is temporary.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 23 December 2010.

## Reprints notes

### 1 *General*

This is a reprint of the Canterbury Earthquake (Social Security Act) Order (No 3) 2010 that incorporates all the amendments to that order as at the date of the last amendment to it.

### 2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### 3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### 4 *Amendments incorporated in this reprint*

Greater Christchurch Regeneration Act 2016 (2016 No 14): section 146(2)

Canterbury Earthquake (Social Security Act) Order (No 3) 2010 (SR 2010/484): clause 3